





4. Since on or about May 23, 2013, I have been the sole member (and sole managing member) of Stadia. Since at least June 2017, Stadia has maintained a single corporate office, located at 2910 Commercial Center Boulevard 203-204, Katy, Texas 77494. Prior to that, from at least April 2014, Stadia utilized 20900 Katy Freeway, Apt. N1, Katy, Texas 77449 as its corporate office.
5. Since at least May 23, 2013, Stadia does not do business in New York, nor has it ever done business in New York. Since at least May 23, 2013, it does not maintain any office in New York, nor has it maintained any office in New York. Since at least May 23, 2013, Stadia is not licensed to do business in New York, and has never been licensed to do business in New York. Since at least May 23, 2013, Stadia has not and has never appointed an agent for service of process in New York, and it has never had a place of business or office in New York. Since at least May 23, 2013, Stadia is not and has never been registered to do business in New York. Since at least May 23, 2013, Stadia does not and has never maintained any office or postal address in New York. Since at least May 23, 2013, Stadia does not maintain a telephone number in New York and has never maintained a telephone number in New York. Since at least May 23, 2013, Stadia does not have and has never had any employee who lived in New York. Since at least May 23, 2013, Stadia does not regularly recruit New York residents for employment.
6. Since at least May 23, 2013, Stadia does not own any real property in Texas and has no bank accounts in New York. Since at least May 23, 2013, Stadia has never owned real property in New York and has never had a bank account in New York. Since at least May 23, 2013, Stadia does not own any assets in New York and has never owned any assets in New York. Since at least May 23, 2013, Stadia does not own, lease, rent, or control any real or personal property in New York, and has never owned, leased, rented, or controlled any real or personal property in New York. Since at least May 23, 2013, Stadia has does not regularly purchase any tangible items or other personal property in or from New York, and has never regularly purchased any tangible items or other personal property in or from New York.
7. I have reviewed some of the pleadings and documents from a lawsuit filed in New York against Stadia. The case is styled *Colonial Funding Network, Inc., as servicing provider for Yellow Stone Capital and Trust Capital Funding v. Sammys Grill, LLC d/b/a Stadia Bar and Grill, et al.*; Index No. 653963/2018; In the Supreme Court of the State of New York, County of New York (the "New York lawsuit").
8. Stadia did not receive notice of the New York Lawsuit until the above-captioned lawsuit was filed and Stadia was served on June 3, 2019. Stadia was not served with summons, a copy of the complaint, or any notice of the motion for or entry of the default judgment in the New York Lawsuit.
9. More specifically, Martha Hess is not, and was not in August 2018, a "manager" of Stadia. She is not, and has never been since May 2013, an employee or representative of Stadia. She was not an employee or representative of Stadia when she purportedly accepted service on its behalf in August 2018. She is not, and has never been since May 2013, authorized



by Stadia to accept service on behalf of Stadia. She was not an authorized by Stadia to accept service on its behalf when she purportedly accepted service on its behalf in August 2018.

10. Also, 22762 Westheimer Parkway, Katy, Texas 77450 (the "Westheimer Address") is not an address associated with Stadia and has not ever been an address associated with Stadia since May 2013. Since at least May 2013, Stadia has not conducted any business at the Westheimer Address or utilized the Westheimer Address in conducting its corporate affairs.
11. I have also reviewed the contract that is attached as Exhibit A to the complaint in the New York Lawsuit. The contract was apparently executed by Vela, on behalf of Stadia, in August 2016. Vela did not have authority from Stadia to execute that contract in August 2016. From May 23, 2014 to present, Vela has not been and is not currently a manager, member, employee, contractor, or representative of Stadia. Stadia was not aware that Vela had executed any such contract purportedly on behalf of Stadia until it was served with the above-captioned lawsuit and conducted further investigation into the New York Lawsuit.
12. Additionally, Vela was not authorized by Stadia to act on Stadia's behalf with respect to the New York Lawsuit. From May 23, 2014 to present, Vela has not been and is not currently a manager, member, employee, contractor, or representative of Stadia. Any action taken by Vela purportedly on behalf of Stadia in the New York Lawsuit was without authorization from Stadia.
13. My birth date is December 26, 1954. My address is 4 Blalock Circle, Houston, Texas 77024. I declare under penalty of perjury that the foregoing is true and correct."

Executed in Harris County, State of Texas, on the 1st day of July, 2019.

  
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Christopher I.S. Rivers  
Managing Member,  
Stadia Bar & Grill Licensing Co., LLC